

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Associate Justice; Honorable Thomas A. Harris, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Shandra Gallagher, Assistant Deputy Clerk.

**F035921      People v. Nunez**

Parties stipulate that (1) Dibiaso, Acting P.J. the absent assigned justice, participate in the determination of this appeal, and (2) Dibiaso, Acting, P.J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Robert E. Dowd, Esq., counsel for appellant. Harry Joseph Colombo, Esq., Deputy Attorney General waived oral argument.

Submission deferred until Friday, March 22, 2002 for Dibiaso, Acting P.J. to listen to the tape recording of oral argument.

Court recessed until Wednesday, March 20, 2002 at 1:30 p.m.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Thomas A. Harris, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Shandra Gallagher, Assistant Deputy Clerk.

**F033659      Gonzalez et al. v. Hanford Elementary School District.**

**F034555      Gonzalez et al. v. Hanford Elementary School District.**

Cause called and argued by John J. Machado, Esq., and Tony J. Tanke, Esq., counsel for appellants and respondents Linda K. Gonzalez et al.; by Ned Good, Esq., counsel for amicus curiae for appellant; by Jeffery A. Miller, Esq., and Richard Oppenheim, Esq., counsel for respondent and appellant Hanford Elementary School District and by Jack M. Sleeth, Esq., counsel for amicus curiae for respondent.

Cause ordered submitted.

The court adjourns.

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- F039602      People v. Espinoza**  
Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.
- F035501      People v. Diaz**  
The judgment is affirmed. Buckley, J.  
We concur: Ardaiz, P.J.; Wiseman, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F039733      Luisa A. v. The Superior Court of Fresno Co.; Fresno Co. Dept. of Children & Family Services**  
The petition for extraordinary writ is denied.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F039066      People v. Rubalcava**  
Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.
- F036747      In re the Marriage of Holder**  
The judgment is affirmed. Levy, J.  
I concur: Ardaiz, P.J.  
Dissenting Opinion by Cornell, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F039803      Frank G., v. Kern Co. Superior Court; Kern Co. Dept. of Human Services**  
The petition for extraordinary writ is denied.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]